

REMARKS

Rejection Under 35 U.S.C. §112

In his January 18, 2006 Response to Amendment, the Examiner stated:

Applicant's Remarks dated 12/30/2005 deliberately chose not to respond to the 35 USC 112 rejection and amend claim 1. Applicant's statement on page 2 of the Remarks erroneously states what Applicant's claim 1 literally recites.

But the Applicants *did* respond to the 35 USC 112 rejection. (*See* 12/28/05 Response Under 37 C.F.R. §111, p. 2.) The Applicants respectfully traversed the Examiner's rejection because the Applicants believed that the Examiner was mis-reading the language of the claim element at issue.

Applicants have thoroughly investigated the matter and have determined that a typographical error was made in a response to an earlier office action, resulting in the Examiner's and the Applicant's divergent positions on the current language of claim 1.

The claim element at issue was last amended in the Applicant's January 12, 2005 Amendment Under 35 U.S.C. §111, as follows:

~~selling an automobile to a customer wherein providing~~
the customer is provided with a customer identification badge containing a plurality of customer information;

This Amendment does not suffer from the deficiencies raised in the Examiner's 35 USC § 112 rejection that is at issue here, namely that the claim element "lacks a verb or other necessary preceding words in order to make sense."

In the Applicant's May 9, 2005 Amendment Under 35 U.S.C. §111, the claim was incorrectly reproduced as follows:

the customer with a customer identification badge containing a plurality of customer information

The word “providing” was accidentally omitted. This language was then inadvertently carried over into the Claims Appendix of the Applicant’s September 8, 2005 Appeal Brief — the claim language upon which the Examiner bases his rejection under 35 U.S.C. § 112.

When traversing the Examiner’s rejection, the Applicant was basing his position on the last-amended language of the claim element as recited in the January 12, 2005 Amendment that did not suffer from any deficiency.

The Applicant apologizes for any confusion caused by the typographical error, it was an inadvertent mistake. The Applicant submits the following amendment to the claim language to correct the typographical error, eliminate any confusion in the prosecution record, and overcome the Examiner’s rejection under 35 U.S.C. §112:

providing the customer with a customer identification badge containing a plurality of customer information.

Shortened Statutory Period For Reply

In his January 18, 2006 Response to Amendment, the Examiner stated:

Since the period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).

In the prior Office action, however, the Examiner set a three-month shortened statutory period for reply of “3 month(s) or thirty (30) days, whichever is longer, from the mailing date of this communication.” This cover-letter accompanying the Office action bears “DATE MAILED: 10/27/2005.” The Applicant has enclosed a copy of this cover letter for

the Examiner's convenience. The due date for this reply is therefore January 27, 2006 (today). Accordingly, the Applicant has not sought an extension of time under 37 CFR 1.136(a). If the Examiner contends that the Applicant is in error, the Applicant respectfully requests an advisory action prior to the expiration of the 6-month statutory period for reply.

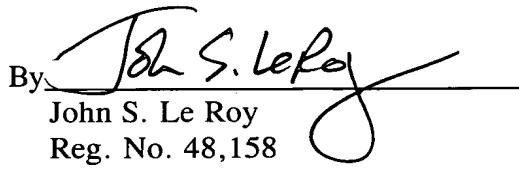
CONCLUSION

The Applicant has made a genuine effort to respond to the Examiner's objections and rejections in advancing the prosecution of this case. The Applicant believes all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested.

No additional fee is believed to be due as the result of the filing of this paper. However, any additional fees or credits should be applied to Deposit Account 06-1510 (Ford Global Technologies, Inc.). A duplicate of this paper is enclosed for that purpose.

Respectfully submitted,
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By


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